

PATENT
UTSG:263US

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPOSITIONS AND METHODS FOR HERPES SIMPLEX PROPHYLAXIS AND TREATMENT**, the Specification of which:

- ☐ is attached hereto.
☒ was filed on **January 23, 2006** as Application Serial No. **10/565,415**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 or 365(b) of any foreign application(s) for patent, United States provisional application(s), or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
60/489,984	USA	July 25, 2003	Yes
(Number)	(Country)	(Date Filed)	Yes/No
PCT/US2004/024013	USA	July 26, 2004	Yes
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

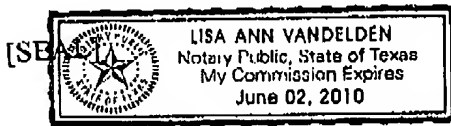
Signature: [Signature]
Name: Anthony Simmons

Date: 8/9/06

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, on this 9 day of August, 2006 personally appeared Anthony Simmons, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

[Signature]
Notary or Consular Officer



Signature: _____
Name: Jianmin Chen

Date: _____

BEFORE ME, the undersigned authority, on this ____ day of _____, 2006 personally appeared Jianmin Chen, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

Witness

FULBRIGHT & JAWORSKI L.L.P.
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Austin, Texas 78701